

Abstract

The topic of my thesis is “Legal regulation of the creation and protection of the Natura 2000 system“. The aim of my thesis is to provide analysis of legal sources relating to Natura 2000, both international and Czech and EU level. In this context, I have dealt with the judgments of the Court of Justice of the European Union from the year 2007 to 2010, which addressed the Natura 2000 and contributed to the interpretation of relevant provisions. Particular attention was devoted issue of public contracts covered by the Act No. 114/1992 Coll. on nature and landscape, as one of the ways the creation and protection of the Natura 2000 system.

The most important of the rules governing the European Union's law Natura 2000 are Council Directive 92/43/EEC on the conservation of natural habitats and of wild fauna and flora, which together with Council Directive 2009/147/EC on the conservation of wild birds are the cornerstones of conservation of the European Union.

An important source for the interpretation of EU laws are judgements of the Court of Justice of the European Union. These judgments concerning Natura 2000 can be divided into two circles of problems. The first circle of problems is the misconduct in the creation of the protected area within the Natura 2000 and the second is the misconduct in the assessment of implications of plans and projects in the Natura 2000.

Czech Republic became a member of the European Union 1 May 2004. In this context it has to change its legislation because of its compliance with the EU law. To transpose the concept of European Natura 2000 system was intended the amendment No. 218/2004 Coll., which amended the Act No. 114/1992 Coll., on nature and landscape. This transposition and subsequent implementation was wrong and against the Republic was led several infringements by the European Commission. Response to these criticisms was the Amendment No. 349/2009 Coll.

Natura 2000 is, however, despite all the problems associated with its creation, very important tool for nature conservation and biodiversity.